

Senate File 2109 - Introduced

SENATE FILE 2109

BY DANIELSON

(COMPANION TO HF 2111 BY WOLFE)

A BILL FOR

1 An Act relating to elimination of the authorization for a court
2 to order the payment of a postsecondary education subsidy in
3 dissolution of marriage proceedings.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 252D.16, subsection 3, Code 2011, is
2 amended to read as follows:

3 3. "*Support*" or "*support payments*" means any amount which
4 the court or administrative agency may require a person to pay
5 for the benefit of a child under a temporary order or a final
6 judgment or decree entered under chapter 232, 234, 252A, 252C,
7 252F, 252H, 598, 600B, or any other comparable chapter, and may
8 include child support, maintenance, medical support as defined
9 in chapter 252E, spousal support, and any other term used to
10 describe these obligations. These obligations may include
11 support for a child of any age who is dependent on the parties
12 to the dissolution proceedings because of physical or mental
13 disability. The obligations may include support for a child
14 eighteen or more years of age with respect to whom a child
15 support order has been issued pursuant to the laws of a foreign
16 jurisdiction. ~~These obligations shall not include amounts for~~
17 ~~a postsecondary education subsidy as defined in section 598.1.~~

18 Sec. 2. Section 598.1, subsection 8, Code 2011, is amended
19 by striking the subsection.

20 Sec. 3. Section 598.20, Code 2011, is amended to read as
21 follows:

22 **598.20 Forfeiture of marital rights.**

23 When a dissolution of marriage is decreed the parties
24 shall forfeit all rights acquired by marriage which are not
25 specifically preserved in the decree. This provision shall
26 not obviate any of the provisions of section 598.21, 598.21A,
27 598.21B, 598.21C, 598.21D, or 598.21E, ~~or 598.21F.~~

28 Sec. 4. Section 598.22, subsection 5, Code 2011, is amended
29 to read as follows:

30 5. Prompt payment of sums required to be paid under sections
31 598.10, 598.21A, 598.21B, 598.21C, and 598.21E, ~~and 598.21F~~ is
32 the essence of such orders or judgments and the court may act
33 pursuant to section 598.23 regardless of whether the amounts in
34 default are paid prior to the contempt hearing.

35 Sec. 5. Section 600.11, subsection 2, paragraph a,

1 subparagraph (6), Code Supplement 2011, is amended to read as
2 follows:

3 (6) A person who is ordered to pay support ~~or a~~
4 ~~postsecondary education subsidy~~ pursuant to ~~section 598.21F, or~~
5 chapter 234, 252A, 252C, 252F, 598, 600B, or any other chapter
6 of the Code, for a person eighteen years of age or older who is
7 being adopted by a stepparent, and the support order or order
8 requires payment of support ~~or postsecondary education subsidy~~
9 for any period of time after the child reaches eighteen years
10 of age.

11 Sec. 6. REPEAL. Section 598.21F, Code 2011, is repealed.

12 EXPLANATION

13 This bill repeals provisions authorizing the court to order
14 payment of a postsecondary education subsidy. A postsecondary
15 education subsidy is an amount which either of the parties to a
16 dissolution may be required to pay for educational expenses of
17 a child who is between the ages of 18 and 22 years of age if the
18 child is regularly attending a course of vocational-technical
19 training; is, in good faith, a full-time student in a college,
20 university, or community college; or has been accepted for
21 admission to a college, university, or community college.